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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/564,686

07/20/2006

Jochen Beck

19357

2063

272 7590 12/16/2008
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EXAMINER

BOEHLER, ANNE MARIE M

ART UNIT

PAPER NUMBER

3611

MAIL DATE

DELIVERY MODE

12/16/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/564,686	Applicant(s) BECK ET AL.	
	Examiner Anne Marie M. Boehler	Art Unit 3611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/11/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/11/06</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. The disclosure is objected to because of the following informalities:

Applicant's specification contains a number of inconsistencies:

In para 0027, line 1, "feed pump 18" should be feed pump 17-.

In para 0031 "adjusting valve 31" should be –adjusting valve 35-.

In para 0031, lines 2-3 and 13."second input control 41" should be –second input control 40a-, to be consistent with applicant's drawings. Element 41 is an electric line.

Applicant's specification and drawings should be carefully reviewed for any additional inconsistencies.

Appropriate correction is required.

2. Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 1, "in particular" is indefinite and must be deleted. In line 8, "the first port" lacks antecedent basis in the claim. In line 12, "the second port" lacks antecedent basis in the claim.

In claim 2, line 4, "the pressurization area (A2)" lacks antecedent basis in the claims. In lines 7-8, "a smaller pressurization area" should be –the smaller pressurization area- and "a larger pressurization area" should be –the larger pressurization area-.

In claim 5, lines 6 and 7, "designed in the style of" is unclear.

Claim 8 appears to recite a hybrid of the distinct embodiments applicant has disclosed. Claim 8 depends from claim 7. Claim 7 recites control ports that are

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responsive to electrical signals (only embodiment of Figure 1), while claim 8 recites an adjusting valve responsive to adjusting pressures acting on the control chambers (only embodiment of Figure 2). The structure of these distinct embodiments cannot be claimed in combination since they were not disclosed as being used together.

In claim 11, "the adjusting device" lacks clear antecedent basis in the claim.

In claim 13, "in particular" is indefinite.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-6 and 8 are rejected under 35 U.S.C. 102(a) as being anticipated by Wittren (USPN 4,367,803).

Wittren shows a hydraulic steering system with two steering piston-cylinder devices 12, 13, and a variable hydraulic pump 52 connected to both cylinders that is reposonsive to an input device (steering wheel 54). It includes an adjusting valve 42 that is activated in response to deflection of the input device. The valve is controlled by adjusting pressures that act on control chambers situated at control ports 56, 57.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wittren in view of Bohner et al. (USPN 5,953,978).

Wittren teaches all of the claimed features except a solenoid valve responsive to the steering input device.

Bohner shows a power steering device with a 4/3 way valve using solenoids 20 that are responsive to signals from the steering input device 29, to control fluid flow to a steering actuator.

It would have been obvious to one of ordinary skill in the art to provide the Wittren adjusting valve with solenoids electrically connected to the steering wheel, as taught by Bohner, in order to effectively operate the valve.

7. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wittren in view of Li (USPN 5,937,966).

Wittren fails to position the steering cylinders so they are oriented to each other at no more than a 90 degree angle.

Li shows a power steering system for a work vehicle with two actuators 34, 36, that are oriented to each other at less than a 90 degree angle.

It would have been obvious to one of ordinary skill in the art to orient the Wittren steering cylinders at a less than 90 degree relative angle, as taught by Li, in order to effectively position them between vehicle sections.

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8. Claims 9-15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Peistrup shows a steering system responsive to both a steering wheel and a joystick.

Stauffer, Harding, and Kalhorn show steering systems each using two piston/cylinders devices.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne Marie M. Boehler whose telephone number is 571-272-6641. The examiner can normally be reached on 7:30-5:00, Monday-Thursday, and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on 571-272-6612. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Anne Marie M Boehler/
Primary Examiner, Art Unit 3611

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Primary Examiner
Art Unit 3611

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